

REMARKS

By virtue of this amendment, claim 1-26 are currently pending in the application. Claims 1, 13, 18, and 21 have been amended.

In the Office Action, the Examiner withdrew the rejection based on United States Patent 5,466,383 (“Lee”). The applicants respectfully thank the Examiner for the removal of Lee as an invalidating reference.

In the pending office action, the Examiner rejected Application claim 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner also provided corrective language to correct the improper Markush group language. The Applicants thank the Examiner for the suggestion, and have amended claim 13 as suggested. Thus, the Applicants respectfully request the withdrawal of the pending rejection of claim 13 under 35 U.S.C. § 112, second paragraph. The Examiner objected to claim 14 as being dependent on rejected claim 13. As claim 13 has been amended and is now believed to be allowable, it is respectfully suggested that claim 14 is similarly allowable.

The Examiner rejected claims 1-12 and 15-26 under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,865,956 (“Bridle et al.”). The Applicants respectfully traverse the rejection.

In particular, claim 1 recites a combination of elements including, for example, “transferring the gaseous products from the reactor to a catalytic converter” and “contacting the gaseous products from the reactor or the reheated oil and/or non-condensable products, if any, with a catalyst in the catalytic converter in the absence of oxygen, and in the absence of sludge residue,” which is not disclosed, suggested, or taught by Bridle et al. As one of skill in the art would recognize on reading the disclosure, a catalytic converter is useful to apply a catalyst to noxious gaseous exhausts to reduce emissions. In particular, the catalytic converter reduces the emissions in the absence of sludge residue. Conversely, and at most, Bridle et al. discusses the fact that a “second reactor” performs a catalytic reaction while processing sludge residue. The Examiner opines that the catalytic reaction of the second reactor is the same. However, the Bridle et al. reaction is a very inefficient catalytic reactor for reducing gaseous emissions. Thus, claim 1 has been clarified to recite a method of performing a catalytic reaction “in the absence of sludge residue,” which is not anticipated by the inefficient sludge reaction performed by Bridle et

al. Because Bridle et al. does not disclose a catalytic converter or a process of performing a catalytic reaction in the absence of sludge residue, it does not anticipate amended claim 1.

Based on the forgoing, it is respectfully submitted that claim 1 is patentably distinct from the references either alone or in any reasonable combination thereof. Independent claims 18 and 21 contain limitations similar to independent claim 1 and, at least by virtue of the similarity are patentably distinct from the references of record either alone or in any reasonable combination thereof. Claims 2-17, 19, 20, and 22-26 depend, either directly or indirectly, from independent claims 1, 18, and 21 and, at least by virtue of the dependency, are patentably distinct from the references either alone or in any reasonable combination thereof. Thus, withdrawal of the pending rejection and allowance of the claims is respectfully requested.

Moreover, at least with respect to claim 18, and to the extent the Examiner is attempting to opine that the second reactor in the references is capable of acting as the catalytic converter, the applicants respectfully submit amended claim 18 recites “a first reactor”, “a second reactor”, and “a catalytic converter.” At most, Bridle et al. discloses first and second reactors and not a separate process performed by a separate structure. Thus, for at least this reason, claim 18 is not anticipated by Bridle et al.

Thus, withdrawal of the pending rejection and allowance of the claims is respectfully requested.

No other fee is believed due for entry of this paper. If an additional extension of time under 35 C.F.R. § 1.136 is required to obtain entry of this Amendment, such an extension is requested. If there are fees due under 37 U.S.C. §§ 1.16 or 1.17 which are not otherwise accounted for, please charge our Deposit Account No. 08-2623.

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